

Superseded 5/12/2015

78B-6-103 Definitions.

As used in this part:

- (1) "Adoptee" means a person who:
 - (a) is the subject of an adoption proceeding; or
 - (b) has been legally adopted.
- (2) "Adoption" means the judicial act that:
 - (a) creates the relationship of parent and child where it did not previously exist; and
 - (b) except as provided in Subsection 78B-6-138(2), terminates the parental rights of any other person with respect to the child.
- (3) "Adoption service provider" means a:
 - (a) child-placing agency; or
 - (b) licensed counselor who has at least one year of experience providing professional social work services to:
 - (i) adoptive parents;
 - (ii) prospective adoptive parents; or
 - (iii) birth parents.
- (4) "Adoptive parent" means a person who has legally adopted an adoptee.
- (5) "Adult" means a person who is 18 years of age or older.
- (6) "Adult adoptee" means an adoptee who is 18 years of age or older.
- (7) "Adult sibling" means a brother or sister of the adoptee, who is 18 years of age or older and whose birth mother or father is the same as that of the adoptee.
- (8) "Birth mother" means the biological mother of a child.
- (9) "Birth parent" means:
 - (a) a birth mother;
 - (b) a man whose paternity of a child is established;
 - (c) a man who:
 - (i) has been identified as the father of a child by the child's birth mother; and
 - (ii) has not denied paternity; or
 - (d) an unmarried biological father.
- (10) "Child-placing agency" means an agency licensed to place children for adoption under Title 62A, Chapter 4a, Part 6, Child Placing.
- (11) "Cohabiting" means residing with another person and being involved in a sexual relationship with that person.
- (12) "Division" means the Division of Child and Family Services, within the Department of Human Services, created in Section 62A-4a-103.
- (13) "Extra-jurisdictional child-placing agency" means an agency licensed to place children for adoption by a district, territory, or state of the United States, other than Utah.
- (14) "Genetic and social history" means a comprehensive report, when obtainable, on an adoptee's birth parents, aunts, uncles, and grandparents, which contains the following information:
 - (a) medical history;
 - (b) health status;
 - (c) cause of and age at death;
 - (d) height, weight, and eye and hair color;
 - (e) ethnic origins;
 - (f) where appropriate, levels of education and professional achievement; and
 - (g) religion, if any.

- (15) "Health history" means a comprehensive report of the adoptee's health status at the time of placement for adoption, and medical history, including neonatal, psychological, physiological, and medical care history.
- (16) "Identifying information" means the name and address of a pre-existing parent or adult adoptee, or other specific information which by itself or in reasonable conjunction with other information may be used to identify that person.
- (17) "Licensed counselor" means a person who is licensed by the state, or another state, district, or territory of the United States as a:
 - (a) certified social worker;
 - (b) clinical social worker;
 - (c) psychologist;
 - (d) marriage and family therapist;
 - (e) professional counselor; or
 - (f) an equivalent licensed professional of another state, district, or territory of the United States.
- (18) "Man" means a male individual, regardless of age.
- (19) "Office" means the Office of Vital Records and Statistics within the Department of Health operating under Title 26, Chapter 2, Utah Vital Statistics Act.
- (20) "Parent," for purposes of Section 78B-6-119, means any person described in Subsections 78B-6-120(1)(b) through (f) from whom consent for adoption or relinquishment for adoption is required under Sections 78B-6-120 through 78B-6-122.
- (21) "Potential birth father" means a man who:
 - (a) is identified by a birth mother as a potential biological father of the birth mother's child, but whose genetic paternity has not been established; and
 - (b) was not married to the biological mother of the child described in Subsection (21)(a) at the time of the child's conception or birth.
- (22) "Pre-existing parent" means:
 - (a) a birth parent; or
 - (b) a person who, before an adoption decree is entered, is, due to an earlier adoption decree, legally the parent of the child being adopted.
- (23) "Prospective adoptive parent" means a person who seeks to adopt an adoptee.
- (24) "Unmarried biological father" means a person who:
 - (a) is the biological father of a child; and
 - (b) was not married to the biological mother of the child described in Subsection (24)(a) at the time of the child's conception or birth.